

IN RE: PETITION FOR ZONING VARIANCE  
N/S Hines Road, 759' E of the  
c/l of Magledt Road  
(9216 Hines Road)  
11th Election District  
5th Councilmanic District  
Seven Courts Development Part.  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-55-A

#### FINDING OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a building to  
tract boundary setback of 25 feet in lieu of the minimum required 30 feet  
and to amend the previously approved Final Development Plan of Northwind  
Farms II for a proposed dwelling in accordance with Petitioner's Exhibit 1.

The Petitioner, by Joseph Matarazzo, President, Matson Homes,  
Inc., Contract Purchaser, appeared, testified, and was represented by  
Robert J. Ryan, Esquire. Also appearing on behalf of the Petition was Sam  
Shackley with Development Engineering Consultants, Inc. There were no  
Protestants.

Testimony indicated that the subject property, known as 9216  
Hines Road, consists of 11,927 sq.ft. zoned D.R. 3.5 and is presently  
unimproved. Said property is also known as Lot 14, Block "C" of the  
Northwind Farms II development. Petitioner has entered into a contract to  
sell the subject property to the Contract Purchaser who is desirous of  
constructing a single family dwelling on the subject property. The sub-  
ject property is located at the end of the tract boundary of the Northwind  
Farms II development and abuts a 150-foot Baltimore Gas and Electric drain-  
age and utility easement. Due to the unique characteristics of the sub-  
ject lot, the proposed improvements cannot be made without the requested  
variance. Petitioners argued to require strict compliance will create a

practical difficulty and the placement of the proposed dwelling in a loca-  
tion incompatible with other homes in the development as it would be much  
smaller. Mr. Matarazzo testified that the average home in the subject  
development is 47 feet wide while the house proposed would be 40 feet  
wide. Petitioner argued that the granting of the variance will not result  
in any detriment to the health, safety or general welfare of the surround-  
ing community.

Based upon the testimony and evidence presented at the hearing,  
all of which was uncontradicted, in the opinion of the Deputy Zoning Com-  
missioner the relief requested sufficiently complies with the requirements  
of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.)  
and, therefore, should be granted. There is no evidence in the record  
that the subject variance would adversely affect the health, safety,  
and/or general welfare of the public. Furthermore, strict compliance with  
the B.C.Z.R. would result in practical difficulty and/or unreasonable  
hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and pub-  
lic hearing on this Petition held, and for the reasons given above, the  
requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for  
Baltimore County this 18th day of October, 1990 that the Petition for  
Zoning Variance to permit a building to tract boundary setback of 25 feet  
in lieu of the minimum required 30 feet and to amend the previously ap-  
proved Final Development Plan of Northwind Farms II for a proposed dwell-  
ing, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED,  
subject, however, to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order;

- 2 -

however, Petitioners are hereby made aware that proceed-  
ing at this time is at their own risk until such  
time as the 30-day appellate process from this Order  
has expired. If, for whatever reason, this Order is  
reversed, the Petitioners would be required to return,  
and be responsible for returning, said property to its  
original condition.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 387-3353

J. Robert Haines  
Zoning Commissioner

October 18, 1990

Robert J. Ryan, Esquire  
4111 E. Joppa Road, Suite 201  
Baltimore, Maryland 21236

RE: PETITION FOR ZONING VARIANCE  
N/S Hines Road, 759' E of the c/l of Magledt Road  
(9216 Hines Road)  
11th Election District - 5th Councilmanic District  
Seven Courts Development Partnership - Petitioners  
Case No. 91-55-A

Dear Mr. Ryan:

Enclosed please find a copy of the decision rendered in the  
above-captioned matter. The Petition for Zoning Variance has been granted  
in accordance with the attached Order.

In the event any party finds the decision rendered is unfavor-  
able, any party may file an appeal to the County Board of Appeals within  
thirty (30) days of the date of this Order. For further information on  
filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs

cc: People's Counsel

File

#### PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-55-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is  
described in the description and plat attached hereto and made a part hereof, hereby petition for a  
Variance from Section 504 (V.B.5.b., C.M.D.P.) To permit a 25 ft. building  
to tract boundary setback in lieu of the minimum 30 ft. and to amend  
the last approved Final Development Plan of Northwind Farms II.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the  
reasons: (Indicate hardship or practical difficulty)  
THE REQUEST TO REDUCE THE 30 FEET TO 25 FEET SIDEYARD THAT IS ADJACENT  
150 FOOT BALTIMORE GAS & ELECTRIC COMPANY OWNERSHIP FOR A POWER LINE.  
FOOT SETBACK WILL PERMIT A GREATER SEPARATION BETWEEN THE ADJACENT LOT ON THE  
WEST SIDE AND PERMIT A HOME TO BE CONSTRUCTED SIMILAR TO THE REST OF THE  
DEVELOPMENT.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this  
petition, and further agree to and are to be bound by the zoning regulations and restrictions of  
Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm,  
under the penalties of perjury, that I/we  
are the legal owner(s) of the property  
which is the subject of this Petition.

#### Contract Purchaser:

MATSON HOMES, INC.  
3024 E. Joppa Road, Suite 201  
Signature

#### Attorney for Petitioner:

4111 E. JOPPA ROAD, SUITE 201  
Address  
BALTIMORE, MARYLAND 21236  
City and State

#### Attorney's Telephone No.:

301-529-6100  
Address  
BALTIMORE, MD. 21236  
City and State

#### Legal Owner(s):

SEVEN COURTS DEVELOPMENT PARTNERSHIP  
Type or Print Name  
Signature

RENNE, J. VAN HOUTEN  
Type or Print Name  
Signature

5120 HAZELWOOD AVENUE 301-866 6499  
Address  
BALTIMORE, MARYLAND 21206  
City and State

Name, address and phone number of legal owner, con-  
tract purchaser or representative to be contacted

MATSON HOMES, INC.  
Name  
4111 E. JOPPA RD., SUITE 201  
BALTIMORE, MD. 21236  
Address

ORDERED By The Zoning Commissioner of Baltimore County, this 31 day  
of July, 1990, that the subject matter of this petition be advertised, as  
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-  
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning  
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore  
County, on the 9 day of Oct., 1990, at 7 o'clock  
P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

(over)

Development Engineering Consultants, Inc.  
Site Engineers & Surveyors

DESCRIPTION

VARIANCE FOR LOT 14 BLOCK "C"

Beginning on the north side of Hines Road 50 feet wide, at a  
distance of 759 feet east of the centerline of Magledt Road.  
Being Lot 14, Block "C", in the subdivision of "Northwind Farms  
II", Book 60 Folio 24. North 03 degrees 51 minutes 52 seconds  
East 161.09 feet, South 85 degrees 53 minutes 36 seconds East  
72.71 feet, South 02 degrees 46 minutes 40 seconds West 160.00  
feet, Westerly R=3519.08 feet, L=75.75 to place of beginning.  
Also known as #9216 Hines Road in the 11th election district of  
Baltimore County.

90-110

05-10-90

6603 York Road Baltimore, Maryland 21212 (301) 377-2600

Baltimore County  
Zoning Commissioner  
County Office Building  
11 West Chesapeake Avenue  
Towson, Maryland 21204

Acc. No. R7016150

Number

receipt

N# 2826

Date

PUBLIC HEARING FEE

STAMP

PRICE

1 X

\$35.00

TOTAL: \$35.00

LAST NAME OF OWNER: M. VAN HOUTEN

Cashier Validation:

Please make checks payable to: Baltimore County  
B4404#0082NICHRC  
B4 C010134#MOT-12-90

\$35.00

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th

Date of Posting: 9/23/90

Posted for: Variance

Petitioner: Seven Courts Development Partnership, Matson Homes, Inc.

Location of property: N/S Hines Rd, 759' E of Magledt Rd.

Location of Signs: Property of Hines Rd, 759' E of Magledt Rd.

Remarks: Property of Hines Rd, 759' E of Magledt Rd.

Posted by: J. Robert Haines

Date of return: 9/28/90

Number of Signs: 1

#### NOTICE OF HEARING

The Zoning Commissioner of  
Baltimore County, by authority of  
the Zoning Act and Regulations  
of Baltimore County will hold a  
public hearing on the property  
described herein in Room 106 of  
the County Office Building, lo-  
cated at 111 W. Chesapeake Av-  
enue in Towson, Maryland 21204  
at 7:00 p.m.

Petition for Zoning Variance  
Case number: 91-55-A  
N/S Hines Road, 759' E of  
c/l of Magledt Road  
11th Election District  
5th Councilmanic  
Legal Owner(s):  
Seven Courts Development  
Partnership  
Contract Purchaser(s):  
Matson Homes, Inc.  
Hearing Date: Tuesday,  
Oct. 9, 1990 at 7:00 p.m.

Variance: to permit a 25 ft.  
building to tract boundary  
setback in lieu of the minimum 30  
ft. and to amend the last ap-  
proved Final Development Plan  
of Northwind Farms II.  
In the event that this Petition is  
granted, a building permit may be  
issued within the thirty (30) day  
appeal period. The Zoning Com-  
missioner will, however, entertain  
any request for a stay of the re-  
sult of said permit during this  
period for good cause shown.  
Such request must be in writing  
and received in the office by the  
date of the hearing set above or  
presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County  
NUS/101 Sept. 13

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., 9-19, 1990

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper published  
in Towson, Baltimore County, Md., once in each of successive  
weeks, the first publication appearing on 9-12, 1990.

THE JEFFERSONIAN,

S. Zeke Orlan

Publisher

\$ 88.51

#### CERTIFICATE OF PUBLICATION

9-19, 1990

THIS IS TO CERTIFY, that the annexed advertisement was publish-  
ed in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES  
REPORTER, weekly newspapers published in Baltimore County, Md.,  
once in each of 1 successive weeks, the first publication appearing  
on 9-12, 1990.

NORTHEAST TIMES BOOSTER and the  
NORTHEAST TIMES REPORTER

S. Zeke Orlan

Publisher

\$ 88.51



**Baltimore County**  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(301) 887-3353

**receipt**

91-55 Account: R-001-4150  
Number N# 3599

10/08/90 M71002B9

PUBLIC HEARING FEES	QTY	PRICE
OBO -POSTING SIGNS / ADVERTISING	X	\$113.51
TOTAL:		\$113.51

LAST NAME OF OWNER: 7 CTS LTD PARTSH

04404#0186N1CHRC \$113.51  
BA C001:41PM10-09-90

Please make checks payable to: Baltimore County

Cashier Validation:

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

DATE 7/25/90

Matson Homes, Inc.  
4111 E. Joppa Road  
Suite 301  
Baltimore, Maryland 21236

Dennis F. Rasmussen  
County Executive

Re: Petition for Zoning Variance  
CASE NUMBER: 91-55-A  
N/S Hines Road, 759' E of c/l of Magleth Road  
9216 Hines Road  
11th Election District - 5th Councilmanic  
Legal Owner(s): Seven Courts Development Corporation  
Contract Purchaser(s): Matson Homes, Inc.  
HEARING: TUESDAY, OCTOBER 9, 1990 at 2:00 p.m.

Gentlemen:

Please be advised that \$113.51 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE OWNER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,  
J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

JRH:gs

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

August 9, 1990

Dennis F. Rasmussen  
County Executive

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance  
CASE NUMBER: 91-55-A  
N/S Hines Road, 759' E of c/l of Magleth Road  
9216 Hines Road  
11th Election District - 5th Councilmanic  
Legal Owner(s): Seven Courts Development Corporation  
Contract Purchaser(s): Matson Homes, Inc.  
HEARING: TUESDAY, OCTOBER 9, 1990 at 2:00 p.m.

Variance to permit a 25 ft. building to tract boundary setback in lieu of the minimum 30 ft. and to amend the last approved Final Development Plan of Northind Farms II.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County  
cc: Seven Courts Development Partnership  
Matson Homes, Inc.

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

September 24, 1990

Dennis F. Rasmussen  
County Executive

Mrs. Renee J. Van Houten  
Seven Courts Dev. Ptnshp  
5120 Hazelwood Avenue  
Baltimore, MD 21206

RE: Item No. 9, Case No. 91-55-A  
Petitioner: Seven Courts Dev., et al  
Petition for Zoning Variance

Dear Mrs. Van Houten:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Joseph P. Malarazzo  
Matson Homes, Inc.  
4111 E. Joppa Road, Suite 301  
Baltimore, MD 21236

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this 31th day of July, 1990.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By: [Signature]  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Seven Courts Development Ptnshp  
Petitioner's Attorney:

**Baltimore County**  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

Dennis F. Rasmussen  
County Executive

August 10, 1990

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 419, 420, 6, 7, 8, 9, 10, and 14.

Very truly yours,  
Michael S. Flanigan  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/lvw

**BALTIMORE COUNTY, MARYLAND**

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: July 19, 1990

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: James F. Seal, Item No. 1  
James R. Gernhart, Jr., Item No. 3  
William A. Jenkins, et al, Item No. 5  
Richard M. Post, Item No. 7  
Robert Lee Rodowski, Item No. 8  
Seven Courts Development Partnership, et al, Item No. 9  
Roger Scott Weinberg, Item No. 10  
George MacDonald, Item No. 14  
Olwyn Diamond, Item No. 419  
Philip Diamond, Item No. 420  
Mark R. Harvey, Item No. 439  
Michael John Reddy, Item No. 440  
David Seymour Allen, Item No. 441  
Robert Frank Bolling, Item No. 442  
Nicholas Stamatacos/Angelina Stamatacos, Item No. 444  
Stephen B. Leese, Sr., Item No. 445  
Harry R. Kleinhen, Item No. 447  
Alpha J. Davis, Jr. Item No. 448  
Judith L. Early, Item No. 455  
David Shimony, Item No. 456  
Kirk Riggs, Item No. 457  
James Paskert, Item No. 458  
James M. Burke, Item No. 459  
John A. Meyers, Item No. 465

In reference to the above-mentioned cases, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

**Baltimore County**  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(301) 887-4500

Paul H. Reincke  
Chief

JULY 20, 1990

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: SEVEN COURTS DEV. PARTN.  
Location: #9216 HINES ROAD  
Item No.: 9 Zoning Agenda: JULY 31, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

REVIEWER: [Signature] 7-24-90 Noted and Approved: [Signature]  
Fire Prevention Bureau

JK/KEK



A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE,  
TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

RE: Zoning Advisory Committee Meeting  
for July 31, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 419, 420, 6, 7, 8, 9, 10 and 14.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB: 8

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Robert F. Ryan	4111 E. 1st St, Box 121236
Joe Marazzone (no d)	" " "
Sam Shattley	DEC - 6603 York Rd 21212





